

# Agenda Item Form

Agenda Date: 08/24/04

Districts Affected: All

Dept. Head/Contact Information: Human Resources, Terry A. Bond, (915) 541-4509

## Type of Agenda Item:

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Resolution                       | <input type="checkbox"/> Staffing Table Changes   | <input type="checkbox"/> Board Appointments                   |
| <input type="checkbox"/> Tax Installment Agreements       | <input type="checkbox"/> Tax Refunds              | <input type="checkbox"/> Donations                            |
| <input type="checkbox"/> RFP/ BID/ Best Value Procurement | <input type="checkbox"/> Budget Transfer          | <input type="checkbox"/> Item Placed by Citizen               |
| <input type="checkbox"/> Application for Facility Use     | <input type="checkbox"/> Bldg. Permits/Inspection | <input checked="" type="checkbox"/> Introduction of Ordinance |
| <input type="checkbox"/> Interlocal Agreements            | <input type="checkbox"/> Contract/Lease Agreement | <input type="checkbox"/> Grant Application                    |
| <input type="checkbox"/> Other _____                      |   |   |

## Funding Source:

- ☐ General Fund
- ☐ Grant (duration of funds: \_\_\_\_\_ Months)
- ☐ Other Source: \_\_\_\_\_

## Legal:

- ☒ Legal Review Required      Attorney Assigned (please scroll down): Lupe Cuellar      ☒ Approved      ☐ Denied

Timeline Priority:   ☐ High      ☐ Medium      ☐ Low      # of days: \_\_\_\_\_

## Why is this item necessary:

After approval by the Civil Service Commission on August 12, 2004. This amendment to Rule 12, Section 8, would clarify when an employee will be charged with a non-appointment.

## Explain Costs, including ongoing maintenance and operating expenditures, or Cost Savings:

.N/A

## Statutory or Citizen Concerns:

None anticipated

## Departmental Concerns:

None anticipated



# Human Resources Department

## MEMORANDUM

August 19, 2004

**To:** Mayor & City Council Representatives  
**From:** Terry A. Bond, Director *TAB*  
**Subject:** Amendments to Civil Service Rule 12, Section 8, Eligible Lists

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An Ordinance amending Ordinance 8065, Civil Service Rules and Regulations, Rule 12, Eligible Lists, Section 8, Removed on Account of Non-Appointment, to clarify when an employee will be charged with non-appointment. This Rule was amended by the Commission to define the circumstances when a non-appointment is counted as one of the three non-selects allotted before removal from the list.

The amendment states that non-appointment occurs only when the person selected for appointment is lower on the list than the one not selected. At that time the person not selected who is higher on the list is charged with not being accepted.

**AN ORDINANCE AMENDING ORDINANCE 8065, CIVIL SERVICE RULES  
AND REGULATIONS, RULE 12, ELIGIBLE LISTS, SECTION 8, REMOVAL ON  
ACCOUNT OF NON-APPOINTMENT, TO CLARIFY WHEN AN EMPLOYEE IS  
CHARGED WITH A NON-APPOINTMENT**

**WHEREAS**, the Civil Service Commission is given the authority under Section 6.1-5(A) of the City Charter to recommend amendments to the City's Civil Service Rules; and,

**WHEREAS**, the City Council is the approving authority for amendments to the Civil Service Rules; therefore, the Civil Service Commission presented their recommended changes to City Council; and,

**WHEREAS**, both the Civil Service Commission and the City Council have determined that Civil Service Rules should be amended by changing Rule 12, Eligible Lists, Section 8, Removal on Account of Non-Appointment, to clarify when an employee will be charged with a non-appointment;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE  
CITY OF EL PASO:**

1. That Ordinance 8065, Civil Service Rules and Regulations, Rule 12, Eligible Lists, Section 8, Removal on Account of Non-Appointment, is amended as follows:

Section 8 Removal on Account of Non-Appointment.

Certification for temporary appointment and certification on which waiver is requested and approved will not count as one of the certifications under Article VI, Section 6.7-9a of the Charter. The selection of the top ranking eligible in preference to other eligibles on the eligible list will not count as to the other eligibles as one of the certifications under the Article and Section of the Charter aforesaid. Only eligibles ranking higher on an eligible list than the eligible selected will be charged with not being accepted for appointment under Article VI, Section 6.7-9a.

2. Except as expressly herein amended, all provisions of Ordinance 8065, Civil Service Rules and Regulations, Rule 12, Eligible Lists, remain the same and are in full force and effect.

PASSED AND APPROVED this day of \_\_\_\_\_ September 2004.

THE CITY OF EL PASO


\_\_\_\_\_  
Joe Wardy  
Mayor

ATTEST:

\_\_\_\_\_  
Richarda Duffy Momsen  
Municipal Clerk

*SIGNATURES CONTINUE ON FOLLOWING PAGE*

APPROVED AS TO FORM:

  
Guadalupe Cuellar  
Deputy City Attorney

APPROVED AS TO CONTENT:

  
Terry Bond  
Human Resources Director

APPROVED BY THE CIVIL SERVICE COMMISSION ON AUGUST 12, 2004.

By   
SECRETARY